



PATENTS

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant(s):** Gregory Collier, et al.      **Examiner:** Unassigned  
**Serial No:** 10/039,050      **Art Unit:** 1653  
**Filed:** December 31, 2001      **Docket:** 12785  
**For:** NOVEL GENES AND THEIR  
USE IN THE MODULATION OF  
OBESITY, DIABETES AND  
ENERGY IMBALANCE      **Dated:** August 25, 2003

Commissioner for Patents  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, it is requested that the following references, which are listed on the attached Form PTO-1449, be made of record in the above-identified case.

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, P. O. Box 1450, Alexandria, VA 22313-1450 on August 25, 2003.

Dated: August 25, 2003

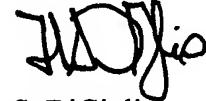
  
\_\_\_\_\_  
Frank S. DiGilio

Applicants are submitting copies of the above-cited references.

Consideration of this Information Disclosure Statement is respectfully requested, since the art provided may be material to the examination of the present application as defined under 37 C.F.R. §1.56.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R. § 1.97(b), no statement or fee is required.

Respectfully submitted,



Frank S. DiGilio  
Registration No. 31,346

Scully, Scott, Murphy & Presser  
400 Garden City Plaza  
Garden City, New York 11530  
(516) 742-4343

FSD/XZ:ab

Form PTO-1449 U.S. DEPARTMENT OF COMMERCE (REV. 7-80) PATENT AND TRADEMARK OFFICE		Atty. Docket N . 12785	Serial No. 10/039,050
<b>LIST OF PRIOR ART CITED BY APPLICANT</b>  (Use several sheets if necessary)		<b>Applicant</b> Gregory Collier, et al.	
		<b>Filing Date</b> December 31, 2001	<b>Group</b> 1653

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL*		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (if appropriate)
	1	6,160,104	12/12/00	Cunningham et al.			
	2	6,160,105	12/12/00	Cunningham et al.			

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	3	WO 96/05861	29/02/96	Australia				

**OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)**

4	Lin, X., et al., (1998) "Differential Expression of Insulin Receptor Tyrosine Kinase Inhibitor (Fetuin) Gene In A Model of Diet-Induced Obesity", <u>Life Sciences</u> 63(2): 145-153
5	Borthwick, E. B., et al., (1995) "Differential expression of hepatic oestrogen, phenol and dehydroepiandrosterone sulphotransferases in genetically obese diabetic (ob/ob) male and female mice", <u>Journal of Endocrinology</u> 144:31-37
6	Lundwall, A.B., et al. (1985) "Isolation and Sequence Analysis of a cDNA Clone Encoding the Fifth Complement Component", <u>The Journal of Biological Chemistry</u> 260:(4): 2108-2112
7	Wetzel, R. A., et al. (1990) "Deficiency of the Murine Fifth Complement Component (C5)", <u>The Journal of Biological Chemistry</u> 265(5): 2435-2440
8	GenPept Accession Number AAF67483
9	EMBL Accession Number AF157317
10	Barnett, M., et al. (1994) "A cross-sectional and short-term longitudinal characterization of NIDDM in <i>Psammomys obesus</i> ", <u>Diabetologia</u> 37: 671-676

EXAMINER	DATE CONSIDERED

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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## U.S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

**OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)**

11	Barnett, M., et al. (1994) "The effect of restricting energy intake on diabetes in <i>Psammomys obesus</i> ", <u>International Journal of Obesity</u> 18: 789-794
12	Bennett, S. A., et al. (1994) "Trends in cardiovascular risk factors in Australia: Results from the National Heart Foundation's Risk Factor Prevalence Study, 1980-1989", <u>Med J Aust</u> 161: 519-527
13	Bonner, T. I., et al. (1973) "Reduction in the Rate of DNA Reassociation by Sequence Divergence", <u>J. Mol. Biol.</u> 81: 123-135
14	Collier, G. R., et al. (1997) "Development of Obesity and Insulin Resistance in the Israeli Sand Rat ( <i>Psammomys obesus</i> ): Does Leptin Play a Role?", <u>Ann New York Acad Sci</u> 821: 50-63
15	Collier, G. R., et al. (1997) "Diabetes, obesity and leptin in the Israeli sand rat ( <i>Psammomys obesus</i> )", <u>Exp Clin Endocrinol Diabetes</u> 105: 36-37
16	DeFronzo, R. A. (1988) "The Triumvirate: $\beta$ -Cell, Muscle, Liver: A Collusion Responsible for NIDDM" <u>Diabetes</u> 37: 667-688
17	Flegal, K. M., et al. (1998) "Overweight and obesity in the United States: prevalence and trends, 1960-1994", <u>International Journal of Obesity</u> 22: 39-47

**EXAMINER** \_\_\_\_\_ **DATE CONSIDERED** \_\_\_\_\_

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<b>FOREIGN PATENT DOCUMENTS</b>							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
							YES
<b>OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
18	Harris, M. I. (1998) "Diabetes in America: Epidemiology and Scope of the Problem", <u>Diabetes Care</u> 21 (Suppl 3): C11-C14						
19	Jonsson, B. (1998) "The Economic Impact of Diabetes", <u>Diabetes Care</u> 21 (Suppl 3): C7-C10						
20	Kalderon, B., et al. (1986) "Characterization of Stages in Development of Obesity-Diabetes Syndrome in Sand Rat ( <i>Psammomys obesus</i> )", <u>Diabetes</u> 35: 717-724						
21	Martikainen, P.T., et al. (1999) "Socioeconomic differences in weight gain and determinants and consequences of coronary risk factors <sup>1-3</sup> ", <u>Am J Clin Nutr</u> 69: 719-726						
22	Shafir, E., et al. (1993) " <i>Psammomys Obesus</i> Of The Jerusalem Colony: A Model For Nutritionally Induced, Non-Insulin-Dependent Diabetes", <u>J Basic Clin Physiol Pharm</u> 4: 83-99						
23	Story, M., et al. (1999) "The epidemic of obesity in American Indian communities and the need for childhood obesity-prevention programs <sup>1-3</sup> ", <u>Am J Clin Nutr</u> 69: 747S-754S						
24	Walder, K., et al. (1997) "The Effect of Dietary Energy Restriction on Body Weight Gain and the Development of Noninsulin-Dependent Diabetes Mellitus (NIDDM) in <i>Psammomys obesus</i> ", <u>Obesity Res</u> 5: 193-200						
25	Zhang, Y., et al. (1994) "Positional cloning of the mouse obese gene and its human homologue", <u>Nature</u> 372: 425-432						
EXAMINER			DATE CONSIDERED				
<small>* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</small>							

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
12785

In Re Application: **Gregory Collier, et al.**

AUG 7 8 2003

Serial No. **10/039,050** Filing Date **December 31, 2001**

Examiner  
Unassigned

Group Art Unit  
1653

**NOVEL GENES AND THEIR USE IN THE MODULATION OF OBESITY, DIABETES AND ENERGY IMBALANCE**

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

A check in the amount of \_\_\_\_\_ is attached.

The Director is hereby authorized to charge and credit Deposit Account No. **19-1013/SSMP** as described below.

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*Frank S. DiGilio*  
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I certify that this document and fee is being deposited on August 25, 2003 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Signature

*Frank S. DiGilio*  
Typed or Printed Name

\*This certificate may only be used if paying by deposit account.

*Frank S. DiGilio*  
Signature

Dated: August 25, 2003

Frank S. DiGilio  
Registration No. 31,346  
Scully, Scott, Murphy & Presser  
400 Garden City Plaza  
Garden City, New York 11530  
(516) 742-4343

cc: FSD:ab

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AUG 28 2003

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Examiner  
 Unassigned

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**Title: NOVEL GENES AND THEIR USE IN THE MODULATION OF OBESITY, DIABETES AND ENERGY IMBALANCE**

Address to:

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**37 CFR 1.97(b)**

- The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

- The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

the statement specified in 37 CFR 1.97(e);

**OR**

the fee set forth in 37 CFR 1.17(p).